

REMARKS

Claims 1 and 3 are pending in the present application. Claim 3 currently stands withdrawn as being directed to non-elected subject matter. Applicants' undersigned counsel, Arles A. Taylor, Jr., had telephonic conversations regarding the pending claims with Examiner John Mabry on October 22 and 26, 2010. In particular, the status of withdrawn claim 3 was discussed. The Examiner indicated that if claim 3 were canceled, the next action would be a Notice of Allowance, as claim 1 appeared to be allowable. Alternatively, the Examiner indicated that claim 3 could be prosecuted in the subject application.

Applicants greatly appreciate Examiner Mabry's indication regarding the allowability of claim 1 and his time and consideration for the telephonic discussions. Applicants further respectfully request that the Examiner consider rejoinder of claim 3 in the subject application.

Withdrawn claim 3 has been amended. More particularly, claim 3 has been amended to recite that M is Zn, Fe, Sc or a lanthanoid element. Support for the amendment can be found in claim 3 as originally filed. No new matter has been added.

Reconsideration of the application in view of the amendment set forth herein below is respectfully requested.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number **50-0426**.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: October 26, 2010

By: 

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